RC__240___

Revision to coho bag and possession limit proposals

Significant efforts have been made to move coho salmon into northern systems. These efforts have come at the expense to other users and while focused and likely to provide benefits the outcome remains uncertain.

Given the uncertainty of measures taken we believe it would be prudent to withdraw proposals that seek to increase bag and possession limits for coho in road accessible areas of the Mat/Su and rather use Department EO authority to increase bag limits in these specific areas if warranted.

Action requested:

1) Withdraw proposals 202 and 203
2) Amend proposal 200 to delete Unit 2
3) Add direction to the Department regarding bag limit adjustments for Susitna River Drainage

A. amend 5 AAC 61.110 to provide direction the department as follows:

5AAC 61.110 General Provisions for seasons, bag, possession, and size limits and methods and means for Susitna River Drainage Area.

(2) salmon other than king salmon

(A) 16 inches or greater in length may be taken from January 1-December 31; bag and possession limit is three fish of which no more than 2 may be coho salmon;

a. Based on abundance indices the department deems appropriate, the Commissioner may by emergency order decrease or increase the bag and possession limit of coho salmon.

Submitted by Mat/Su Blue Ribbon Committee and Kenai River Sportfishing Association

RC 241

1% Rule Explanation

What was the original intent of the rule?

- ✓ The 1% rule was designed to optimize the balance between commercial harvest of sockeye and sport interests for coho based on abundance and run timing.
- ✓ It provides flexibility to extend of commercial set net fishery in years when large, late sockeye runs continue to produce significant harvest of this commercial-priority species into August.
- ✓ It provides an empirical trigger to end the set net fishery in years of low or early sockeye runs to avoid excessive harvest of sport-priority coho during August.

What is the problem?

- ✓ Since the adoption of the 1% rule, commercial fishing periods at the end of the season have been opened for extended intervals spanning multiple days, effectively avoiding the 1% trigger.
- ✓ In 2010 for instance, continuous fishing periods of 63 hours each from Aug. 2-4 and Aug. 8-10 extended the season through Aug 12 when it otherwise would have closed after Aug. 8 under the original intent of the rule (see figure in RC 224).
- ✓ As a result, 5,667 additional coho were taken over three days to harvest 13,851 additional sockeye. The extension took 17% of the season coho total for just 1.2% of the season total sockeye.

What remedy is proposed?

- ✓ RC 238 is a board-generated proposal defining a fishing period as a time period open to commercial fishing not to exceed 24 hours rather than a period open without closure.
- ✓ This proposal clarifies definition of a fishing period consistent with the original intent of the 1% rule as adopted by the 2005 Board.

Isn't this issue addressed by the fixed 24-hour window?

- ✓ It does not. Continuous fishing periods of at least 55 to 65 hours in length can be scheduled around the fixed fishing periods on Tuesday and around Friday (Figure 1).
- ✓ At Kenai sockeye runs over 4.6 million, the windows go away and up to 24 hours of regular opener and 84 hours of EU authority are authorized.

Submitted by: Kenai River Sportfishing Association

RC 242

Request for Proposals 23 and 204 to be heard Saturday

We request that proposals 23 and 204, which address coho salmon bag and possession limits on the Kenai Peninsula and Kenai River, be postponed until time certain on Saturday so that they may be heard in conjunction with the Board generated proposal G (RC 238).

These topics are related as they address conservation and allocation issues for coho salmon and affect commercial and in-river users equally.

Submitted by Kenai River Sportfishing Association

RC 243

In reference to proposal 255- Kasilof River "people hole" closure

- Concentrate effort above and below in a anchor type fishery allowing for a non pass through fishery
- Decrease exploitation of hatchery fish as the people hole is one of the most significant holding areas for fish destined for crooked creek
- There has been an overall decrease in pressure on the Kasilof except for years when the Kenai has closed
- It will close one of only three holes that are not tidally influenced in this section of river
- The no anchoring zone implemented in the people hole has created a pass through fishery there

The Kasilof is a short section of river approximately 6 miles from bridge to Kasilof Cabins take out area. The vast majority of the Kasilof River is tidally influenced and has few overnight holding areas for fish. Hatchery fish staging before entering Crooked Creek predominantly concentrate in this proposed closed area. If closed for boat anglers lost opportunity would be significant in an area that has been shared by all anglers for the past 30 years.

Kenai River Professional Guide Association

RC 244

Opposition to Drift boat only day on the Kenai – proposal 245/246

- From the Moose River downstream to the Soldotna Bridge the infrastructure is insufficient to support such a fishery in this area. Boat ramps and pull outs are at max capacity now and will substantially increase with this added drift day.

- On the south side of the Kenai River within this section there are no public boat launches or bathroom facilities.

- Along the approximate 20 mile section land from Moose River to the bridge, ownership is predominantly private property with no shore access.

- North side access located on the Moose River (Izzac Walton boat launch) has only 2 parking spaces to accommodate anglers participating in this added drift boat fishery.

- Additional drift-only day will impact the largest user group - the general public. It benefits only 10% of total users, those that currently own drift boats.

- Local riverfront property owners will no longer be able to access and exit the fishery from their property via powerboats.

- No biological concerns exist to justify an additional drift boat only day

- If implemented this will create congestion in the lower river

Submitted by: Kenai River Professional Guide Association

Alaska Department of Fish & Game, March 4, 201 .

Upper Subdistrict Set Gillnet Commercial Sockeye Salmon Harvest, August 1-15, 2001-2010
Compiled data from Annual Management Reports

	2001				2002				2003			
Date	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %
1-Aug	Wed	16,894			Thu	16,894	1,288,777	1.3%	Fri			
2-Aug	Thu				Fri				Sat			
3-Aug	Fri				Sat				Sun	21,646	1,719,819	1.3%
4-Aug	Sat	5,642			**Sun**	**5,642**	**1,294,419**	**0.4%**	Mon	18,650	1,738,469	1.1%
5-Aug	Sun	8,739			**Mon**	**8,739**	**1,303,158**	**0.7%**	Tue			
6-Aug	Mon				Tue				Wed			
7-Aug	Tue				Wed				**Thu**	**8,372**	**1,746,841**	**0.5%**
8-Aug	Wed				Thu				Fri			
9-Aug	Thu				Fri				Sat			
10-Aug	Fri				Sat				Sun			
11-Aug	Sat				Sun				Mon			
12-Aug	Sun				Mon				Tue			
13-Aug	Mon				Tue				Wed			
14-Aug	Tue				Wed				Thu			
15-Aug	Wed				Thu				Fri			

	2004				**2005**				**2006**			
Date	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %
1-Aug	Sun	51,381	2,043,400	2.5%	Mon	57,773	1,995,944	2.9%	Tue	42,067	744,987	5.6%
2-Aug	Mon	49,023	2,092,423	2.3%	Tue				Wed	57,081	802,068	7.1%
3-Aug	Tue				Wed	57,473	2,053,417	2.8%	Thu	10,078	812,146	1.2%
4-Aug	Wed	43,937	2,136,360	2.1%	Thu	63,391	2,116,808	3.0%	Fri	31,772	843,918	3.8%
5-Aug	Thu	33,613	2,169,973	1.5%	Fri				Sat	48,710	892,628	5.5%
6-Aug	Fri	34,020	2,203,993	1.5%	Sat	83,139	2,199,947	3.8%	Sun	29,475	922,103	3.2%
7-Aug	Sat	26,913	2,230,906	1.2%	Sun	73,738	2,273,685	3.2%	Mon	22,380	944,483	2.4%
8-Aug	Sun				Mon	69,265	2,342,950	3.0%	**Tue**	**7,170**	**951,653**	**0.8%**
9-Aug	Mon				Tue	43,616	2,386,566	1.8%	Wed	11,467	963,120	1.2%
10-Aug	Tue				Wed	69,368	2,455,934	2.8%	Thu			
11-Aug	Wed				Thu				Fri			
12-Aug	Thu				Fri				Sat			
13-Aug	Fri				Sat				Sun			
14-Aug	Sat				Sun				Mon			
15-Aug	Sun				Mon				Tue			

Note: shaded areas represent time periods in Board-generated proposal (RC 238)

Submitted by ADF&G

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RC 245

	2007				2008				2009			
Date	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %
1-Aug	Wed	44,261	1,167,373	3.8%	Fri				Sat	11,913	882,702	1.3%
2-Aug	Thu	23,132	1,190,505	1.9%	Sat				Tue			
3-Aug	Fri				Sun				Wed	9,906	892,608	1.1%
4-Aug	Sat				Mon				Thu			
5-Aug	Sun	22,660	1,213,165	1.9%	Tue				Fri			
6-Aug	Mon	40,162	1,253,327	3.2%	Wed				**Sat**	**8,363**	**900,971**	**0.9%**
7-Aug	Tue	25,246	1,278,573	2.0%	Thu				Sun			
8-Aug	Wed	14,851	1,293,424	1.1%	Fri				Mon			
9-Aug	Thu	44,352	1,337,776	3.3%	Sat				Tue			
10-Aug	Fri				Sun				**Wed**	**4,882**	**905,853**	**0.5%**
11-Aug	Sat				Mon				Thu			
12-Aug	Sun				Tue				Fri			
13-Aug	Mon				Wed				Sat			
14-Aug	Tue				Thu				Sun			
15-Aug	Wed				Fri				Mon			

	2010			
Date	Day	Daily	Cum	Daily %
1-Aug	Sun			
2-Aug	Mon	45,615	1,018,962	4.5%
3-Aug	Tue	15,109	1,034,071	1.5%
4-Aug	Wed	18,978	1,053,049	1.8%
5-Aug	**Thu**	**9,280**	**1,062,329**	**0.9%**
6-Aug	Fri			
7-Aug	Sat			
8-Aug	**Sun**	**9,619**	**1,071,948**	**0.9%**
9-Aug	Mon	6,963	1,078,911	0.6%
10-Aug	Tue	3,513	1,082,424	0.3%
11-Aug	Wed			
12-Aug	Thu	3,365	1,085,789	0.3%
13-Aug	Fri			
14-Aug	Sat			
15-Aug	Sun			
	Reduced Harvest =		13,841	

Note: shaded areas represent time periods in Board-generated proposal (RC 238)

Alaska Department of Fish & Game, March 4, 2011

Kasilof Section Set Gillnet Sockeye Salmon Harvest, August 1-15, 2001-2010
Compiled data from Annual Management Reports

	2001				2002				2003			
Date	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %
1-Aug	Wed				Thu	3,389	728,841	0.5%	Fri			
2-Aug	Thu				Fri				Sat			
3-Aug	Fri				Sat				Sun	6,824	1,016,250	0.7%
4-Aug	Sat				Sun	1,999	730,840	0.3%	Mon	7,997	1,024,247	0.8%
5-Aug	Sun				Mon	4,037	734,877	0.5%	Tue			
6-Aug	Mon				Tue				Wed			
7-Aug	Tue				Wed				Thu	3,185	1,027,432	0.3%
8-Aug	Wed				Thu				Fri			
9-Aug	Thu				Fri				Sat			
10-Aug	Fri				Sat				Sun			
11-Aug	Sat				Sun				Mon			
12-Aug	Sun				Mon				Tue			
13-Aug	Mon				Tue				Wed			
14-Aug	Tue				Wed				Thu			
15-Aug	Wed				Reduced Harvest =		4,037		Reduced Harvest =		3,185	

	2004				2005				2006			
Date	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %
1-Aug	Sun	14,478	948,990	1.5%	Mon	36,546	1,056,126	3.5%	Tue	6,511	598,337	1.1%
2-Aug	Mon	9,101	958,091	0.9%	Tue				Wed	10,488	608,825	1.7%
3-Aug	Tue				Wed	26,286	1,082,412	2.4%	Thu	10,078	618,903	1.6%
4-Aug	Wed	11,149	969,240	1.2%	Thu	12,754	1,095,166	1.2%	Fri	7,796	626,699	1.2%
5-Aug	Thu	7,489	976,729	0.8%	Fri				Sat	12,117	638,816	1.9%
6-Aug	Fri	8,605	985,334	0.9%	Sat	8,640	1,103,806	0.8%	Sun	8,040	646,856	1.2%
7-Aug	Sat	9,409	994,743	0.9%	Sun	9,097	1,112,903	0.8%	Mon	5,410	652,266	0.8%
8-Aug	Sun				Mon	11,600	1,124,503	1.0%	Tue	1,312	653,578	0.2%
9-Aug	Mon				Tue	5,272	1,129,775	0.5%	Wed	1,712	655,290	0.3%
10-Aug	Tue				Wed	9,360	1,139,135	0.8%	Thu			
11-Aug	Wed				Thu				Fri			
12-Aug	Thu				Fri				Sat			
13-Aug	Fri				Sat				Sun			
14-Aug	Sat				Sun				Mon			
15-Aug	Reduced Harvest =		9,409		Reduced Harvest =		26,232		Reduced Harvest =		1,712	

Note: shaded areas represent time periods in Board-generated proposal (RC 238)

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	2007				2008				2009			
Date	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %
1-Aug	Wed	9,758	665,369	1.5%	Fri				**Sat**	**5,416**	**632,951**	**0.9%**
2-Aug	Thu	7,375	672,744	1.1%	Sat				Tue		632,951	
3-Aug	Fri				Sun				**Wed**	**4,693**	**637,644**	**0.7%**
4-Aug	Sat				Mon				Thu			
5-Aug	Sun	9,312	682,056	1.4%	Tue				Fri			
6-Aug	Mon	10,778	692,834	1.6%	Wed				Sat	2,268	639,912	0.4%
7-Aug	**Tue**	**6,996**	**699,830**	**0.9997%**	Thu				Sun			
8-Aug	**Wed**	**3,602**	**703,432**	**0.5%**	Fri				Mon			
9-Aug	Thu	15,440	718,872	2.1%	Sat				Tue			
10-Aug	Fri				Sun				Wed	1,378	641,290	0.2%
11-Aug	Sat				Mon				Thu			
12-Aug	Sun				Tue				Fri			
13-Aug	Mon				Wed				Sat			
14-Aug	Tue				Thu				Sun			
15-Aug	Reduced Harvest =		15,440		Fri				Reduced Harvest =		3,646	

	2010			
Date	Day	Daily	Cum	Daily %
1-Aug	Sun			
2-Aug	Mon	9,842	491,446	2.0%
3-Aug	Tue	6,221	497,667	1.3%
4-Aug	Wed	8,795	506,462	1.7%
5-Aug	**Thu**	**2,320**	**508,782**	**0.5%**
6-Aug	Fri			
7-Aug	Sat			
8-Aug	**Sun**	**3,502**	**512,284**	**0.7%**
9-Aug	Mon	2,898	515,182	0.6%
10-Aug	Tue	1,425	516,607	0.3%
11-Aug	Wed			
12-Aug	Thu	983	517,590	0.2%
13-Aug	Fri			
14-Aug	Sat			
15-Aug	Reduced Harvest =		5,306	

Note: shaded areas represent time periods in Board-generated proposal (RC 238)

Alaska Department of Fish & Game, March 4, 2011

Kenai/E. Forelands Section Set Gillnet Sockeye Salmon Harvest, August 1-15, 2001-2010
Compiled data from Annual Management Reports

	2001				2002				2003			
Date	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %
1-Aug	Wed				Thu	13,505	559,936	2.4%	Fri			
2-Aug	Thu				Fri				Sat			
3-Aug	Fri				Sat				Sun	14,822	703,569	2.1%
4-Aug	Sat				**Sun**	**3,643**	**563,579**	**0.6%**	Mon	10,653	714,222	1.5%
5-Aug	Sun				**Mon**	**4,702**	**568,281**	**0.8%**	Tue			
6-Aug	Mon				Tue				Wed			
7-Aug	Tue				Wed				**Thu**	**5,187**	**719,409**	**0.7%**
8-Aug	Wed				Thu				Fri			
9-Aug	Thu				Fri				Sat			
10-Aug	Fri				Sat				Sun			
11-Aug	Sat				Sun				Mon			
12-Aug	Sun				Mon				Tue			
13-Aug	Mon				Tue				Wed			
14-Aug	Tue				Wed				Thu			
15-Aug	Wed				Thu				Fri			

	2004				2005				2006			
Date	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %
1-Aug	Sun	36,903	1,094,410	3.4%	Mon	21,227	939,818	2.3%	Tue	35,556	146,650	24.2%
2-Aug	Mon	39,922	1,134,332	3.5%	Tue				Wed	46,593	193,243	24.1%
3-Aug	Tue				Wed	31,187	971,005	3.2%	Thu			
4-Aug	Wed	32,788	1,167,120	2.8%	Thu	50,637	1,021,642	5.0%	Fri	23,976	217,219	11.0%
5-Aug	Thu	26,124	1,193,244	2.2%	Fri				Sat	36,593	253,812	14.4%
6-Aug	Fri	25,415	1,218,659	2.1%	Sat	74,499	1,096,141	6.8%	Sun	21,435	275,247	7.8%
7-Aug	Sat	17,504	1,236,163	1.4%	Sun	64,641	1,160,782	5.6%	Mon	16,970	292,217	5.8%
8-Aug	Sun				Mon	57,665	1,218,447	4.7%	Tue	5,858	298,075	2.0%
9-Aug	Mon				Tue	38,344	1,256,791	3.1%	Wed	9,755	307,830	3.2%
10-Aug	Tue				Wed	60,008	1,316,799	4.6%	Thu			
11-Aug	Wed				Thu				Fri			
12-Aug	Thu				Fri				Sat			
13-Aug	Fri				Sat				Sun			
14-Aug	Sat				Sun				Mon			
15-Aug	Sun				Mon				Tue			

Note: shaded areas represent time periods in Board-generated proposal (RC 238)

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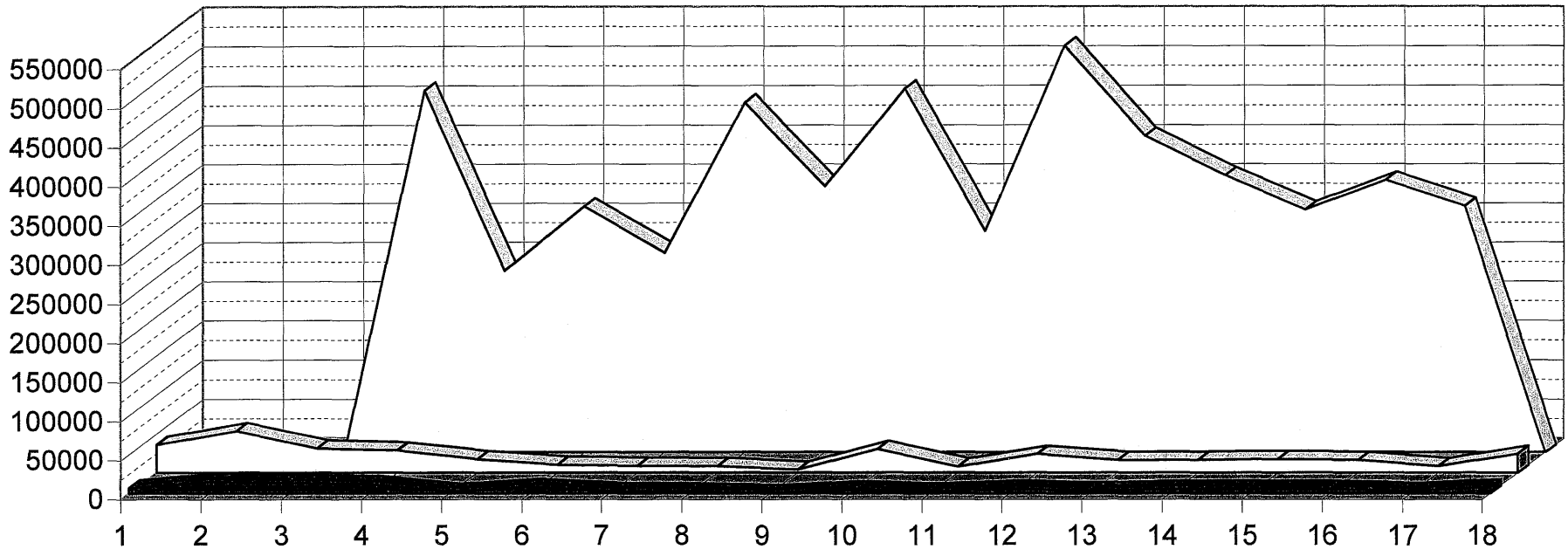
	2007				2008				2009			
Date	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %	Day	Daily	Cum	Daily %
1-Aug	Wed	34,503	502,004	6.9%	Fri				Sat	6,497	249,751	2.6%
2-Aug	Thu	15,757	517,761	3.0%	Sat				Tue			
3-Aug	Fri				Sun				Wed	5,213	254,964	2.0%
4-Aug	Sat				Mon				Thu			
5-Aug	Sun	13,348	531,109	2.5%	Tue				Fri			
6-Aug	Mon	29,384	560,493	5.2%	Wed				Sat	6,095	261,059	2.3%
7-Aug	Tue	18,250	578,743	3.2%	Thu				Sun			
8-Aug	Wed	11,249	589,992	1.9%	Fri				Mon			
9-Aug	Thu	28,912	618,904	4.7%	Sat				Tue			
10-Aug	Fri				Sun				Wed	3,504	264,563	1.3%
11-Aug	Sat				Mon				Thu			
12-Aug	Sun				Tue				Fri			
13-Aug	Mon				Wed				Sat			
14-Aug	Tue				Thu				Sun			
15-Aug	Wed				Fri				Mon			

	2010			
Date	Day	Daily	Cum	Daily %
1-Aug	Sun			
2-Aug	Mon	35,773	527,516	6.8%
3-Aug	Tue	8,888	536,404	1.7%
4-Aug	Wed	10,183	546,587	1.9%
5-Aug	Thu	6,960	553,547	1.3%
6-Aug	Fri			
7-Aug	Sat			
8-Aug	Sun	6,117	559,664	1.1%
9-Aug	**Mon**	**4,065**	**563,729**	**0.7%**
10-Aug	**Tue**	**2,088**	**565,817**	**0.4%**
11-Aug	Wed			
12-Aug	Thu	2,382	568,199	0.4%
13-Aug	Fri			
14-Aug	Sat			
15-Aug	Reduced Harvest =		2,382	

Note: shaded areas represent time periods in Board-generated proposal (RC 238)

ESSN COHO HARVEST vs ALL OTHER COHO HARVESTERS IN COOK INLET

RC 246



1993 - 2010

Series 1 = Number of Kenai Coho in ESSN Harvest

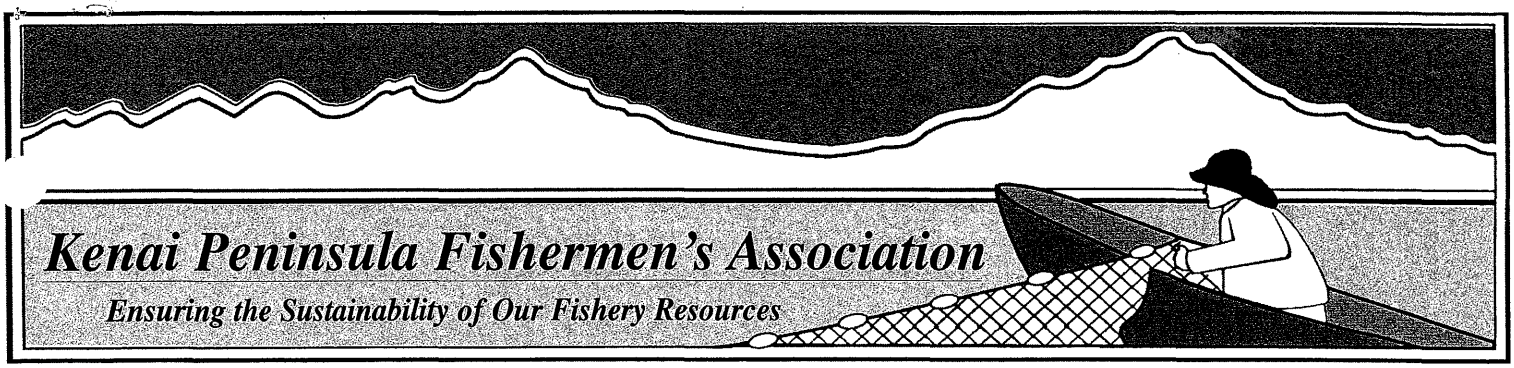
Series 2 = Number of Other Coho in ESSN Harvest

Series 3 = Number of Coho Harvested By All Other Users

***2006 - 2010 estimated from 10 years of known harvest %**

KPFA

RC 246



43961 Kalifornsky Beach Road • Suite F • Soldotna, Alaska 99669-8276
(907) 262-2492 • Fax: (907) 262-2898 • E Mail: kpfa@alaska.net

March 4, 2011

RC 247

Alaska Board of Fisheries
P.O. Box 115526
Juneau, Alaska 99811-5526

RE: Response to establishing a definition of a period into regulation.

Attention: Chairman Vince Webster

The Kenai Peninsula Fishermen's Association (KPFA) is adamantly OPPOSED to any reference to the ONE PERCENT restriction imposed on East Side Set Net (ESSN) fishing families as expressed in KPFA PROPOSALS 321,323 and PC77.

We believe that the Board of Fisheries (BOF) has already, within in its rulemaking authority, declared the TIME and AREA requirements for the ESSN fishery. We see no reasonable logic in having two closing dates for the same fishery targeting sockeye excess to the minimum escapement goal. We agree that if there is a conservation necessity the fishery could be closed using the Commissioner's Emergency Order (EO) authority.

The BOF and the Department have already agreed upon language in 5 AAC 21.363 Upper Cook Inlet Management Plan (e) *...no provision within a specific management plan is intended to limit the commissioner's use of emergency order authority under AS 16.05.060 to achieve established escapement goals for the management plans as the primary objective.*

The BOF has already established restrictions for the ESSN that includes 60 hours of windows, restriction of EO hours and only 2 regular 12 hour periods and a three goal management system.

To what purpose are further restrictions necessary? What specific need for more Coho is there? Where are users being denied a reasonable harvest opportunity?

We do not agree with any attempt to redefine a "*fishing period*". We believe that this might have unintended consequences in Cook Inlet and other parts of the State. We are unclear as to what will happen in a year when the sockeye return to the Kenai will exceed 4.6 million. Does this mean that current 1% restriction would deny access to ESSN on a harvestable surplus? We ask the board to clarify.

WE OFFER THESE DISCUSSION POINTS:

- **There is no declared conservation necessity for Kenai River bound Coho as expressed in RC 217 and it is the reason that 5 AAC 21.357 *Kenai River Coho Salmon Conservation Management Plan* is no longer in affect.**

- **5 AAC 21.360 *Kenai River Late-Run Sockeye Salmon Management Plan* (a) *The department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial uses based on abundance.* Abundance is defined as the 3 tier system of management. Primarily gives preference over other users.**

- **The ESSN harvest an average of 2.5% of the total Coho that are harvested bound for the Kenai River.**

- **Reduction in time allowable within a fishing period will continue to leave surplus sockeye on the "*unharvested table*". Current regulation already restricts ESSN fishermen from harvesting salmon above the escapement goals.**

- **Sockeye escapements to the Kasilof River may be robust and may be nearing the top end of the OEG. Closing the ESSN will force fishermen into the terminal area or worse, excluding them from a reasonable opportunity.**

- **Current ESSN harvest tables do not reflect the different ending season dates as it relates to the current 1% rule. Our review determined that there would be more closures in the last ten years if we were allowed to fish under current rules.**

- **In years such as 2006, the sockeye run came to the beaches later than "*normal*"; the Kenai run continues in to August where 20% to 30% of the *reds* continue to travel past the in river counter.**

- **Weather conditions can change dramatically in August coupled with the second strongest tides in North America. Northwest and northeast winds typically move (blow) the fish offshore. This would result in poor catch statistics for a given time frame while schools of fish are still present in the Inlet. Subsequent fishing periods are necessary to harvest these "pockets" of salmon when they decide to move to the beaches.**

- **Within 33 years of sockeye returns to the Kenai River (1978 – 2010) 17 of those years, 6 out of the last 10, we have exceeded the top end of the goal. If you were to consider only the midpoint of each of the last 10yrs; 2,039,592 sockeye or an average of 203,959 sockeye, about $1,500,000 went unharvested by no user group per year. This is not maximizing the benefit for Alaskans. This current management scheme; managing for the top end of a given goal will jeopardize future yields.**

Please consider these points and confirm our statistics with Department personnel.

Thank you,

Robert Williams
President

43961 Kalifornsky Beach Road • Suite F • Soldotna, Alaska 99669
(907) 262-2492 • Fax: (907) 262-2898 • E Mail: kpfa@alaska.net

Kenai Peninsula Fishermen's Association

Ensuring the Sustainability of Our Fishery Resources

43961 Kalifornsky Beach Road • Suite F • Soldotna, Alaska 99669-8276
(907) 262-2492 • Fax: (907) 262-2898 • E Mail: kpfa@alaska.net

RC248

March 4, 2011

Alaska Board of Fisheries
P.O. Box 115526
Juneau, Alaska 99811-5526

RE: 5 AAC 21356 Cook Inlet Pink Salmon Management Plan

Attention: Chairman Vince Webster

The fishing families of KPFA want to thank the board members for their quest in establishing parity and offering an opportunity to harvest an underutilized resource. The "*new*" Pink salmon management plan for the Kenai River will help local fishermen to feed their families while continuing to contribute to the local Cook Inlet communities.

We do have one question, what happens on an even year when the sockeye harvest might drop in one setnet area at the end of the season below the threshold. Then here comes the pinks. The board gave us opportunity, and then they take it away before we ever have access to it. We strongly disagree with 1% restriction and believe that it should be repealed immediately.

Thank you,

Robert Williams
President KPFA

RC 249

ALASKA BOARD OF FISHERIES
2011/2012 Cycle
Tentative Meeting Schedule

Southeast, Yakutat, Prince William Sound, and Upper Copper/Upper Susitna Finfish; Southeast and Yakutat Crab*, Shrimp, and Shellfish; Statewide Miscellaneous Shellfish; Prince William Sound, Cook Inlet, Kodiak, Chignik, and South Alaska Peninsula Pacific cod; and Supplemental Issues

PROPOSAL DEADLINE: 5:00 p.m. Friday, April 8, 2011

Meeting Dates	Topics	Location	Comment Deadline
October 11-12, 2011 [2 days]	**Work Session** ACRs, cycle organization, Stocks of Concern	**Anchorage** Coast International Inn	Sept. 28, 2011
October 13-17, 2011 [5 days]	**Pacific Cod for PWS, Cook Inlet, Kodiak, Chignik, and South Alaska Peninsula**	**Anchorage** Coast International Inn	Sept. 28, 2011
December 1-6, 2011 [6 days]	**Prince William Sound and Upper Copper/Upper Susitna Finfish**	**Anchorage** Coast International Inn	Nov. 16, 2011
January 18-24, 2012 [7 days]	**Southeast and Yakutat Crab, Shrimp, Misc. Shellfish** (including Dungeness, King, and Tanner)	**Petersburg** Sons of Norway	Jan. 3, 2012
Feb. 24-Mar. 4, 2012 [10 days]	**Southeast and Yakutat Finfish** (including salmon, herring, groundfish)	**Ketchikan** Ted Ferry Civic Center	Feb. 9, 2012
March 20-23, 2012 [4 days]	**Statewide Dungeness Crab, Shrimp, Misc. Shellfish** (except Southeast and Yakutat) and Supplemental Issues	**Anchorage** Hilton Hotel	Mar. 5, 2012

Total Meeting Days: 34
Agenda Change Request Deadline: August 26, 2011 [*45 days prior to fall worksession*]

Adopted 10/14/10

RC 250

Regarding Proposal 250

From July 1-July 31; in that portion of the Kenai River from an ADF&G regulatory marker located at approximately river mile 11 upstream to an ADF&G marker located at approximately river mile 12, a person may not sport fish for any species of fish from a vessel that is making upstream progress, relative to the water, with the aid of a motor.

Submitted by ADFG

RC 251

We are opposed to Board Generated Proposal G and request the **not to exceed 24-hours** not be approved as regulation.

Keeping the current definition of a fishing period, from the time the period starts to the time it ends, is consistent with the definition that is used State wide.

With all of the restriction the Board has imposed on the drift and set net fisheries at this meeting, this would go too far in tying the hands of the biologist to manage on abundance in real time and stay within the biological escapement goals in the Kenai and Kasilof rivers. The restrictions in the current management plans alone have created gross over escapement resulting in reduced returns.

Proposal G will implement the 1% closer rule prematurely and close the set nets and push the drift fleet 35 miles across the inlet into only areas 3 and 4. Years of late sockeye returns like 2006, when 1/3 of the Kenai sockeye came in after August 15th would be lost harvest and create gross over escapement. The historic August pink, chum, and coho salmon harvest would be lost for no biological reason, strictly allocation. This will create in river surpluses to escapement that will only be wasted because of the inefficiency of the in river fishery to harvest the surplus and their common practice of releasing over 50% of their catch.

UCIDA

RC 252

Central Peninsula Fish & Game Advisory Committee opposes Board Generated Proposal G to redefine a fishing period to mean **not to exceed 24-hours**.

The definition should remain consistent with the rest of the State as defined to be from the time the fishing period begins to the time the period ends.

This new definition would further tie the hands of the biologist to the breaking point of not being able to do real time abundance based management, resulting in over escapement.

The biologist EO authority will be jeopardized, with the mandatory fixed windows, to use the EO time efficiently to avoid triggering the 1% trigger that closes the east side set nets and put the drift fleet in areas 3 & 4 only possibly as early as August 1st.

There will be no August pink salmon fishery or a fishery on the surplus sockeye, chum and coho.

The commercial fisheries have received huge cuts in their harvest at this meeting and the industry will be hard pressed to survive. They can't tolerate any more.

Submitted by Central Pen AC
David Martin

RC 253

5 AAC 21.310. Fishing seasons. (b)(2)(C)(iii) Kenai, Kasilof, and East Forelands Sections: the season will close August 15, unless closed earlier by emergency order after July 31, if the department determines that less than one percent of the season's total sockeye harvest has been taken per fishing period for two consecutive periods; from August 11 through August 15, the fishery is open for regular periods only; for purposes of this sub-paragraph, "fishing period" means a time period open to commercial fishing [WITHOUT CLOSURE] **per calendar day**;

Submitted by: Kenai River Sportfishing Association

Kenai Peninsula Fishermen's Association

Ensuring the Sustainability of Our Fishery Resources

43961 Kalifornsky Beach Road • Suite F • Soldotna, Alaska 99669-8276
(907) 262-2492 • Fax: (907) 262-2898 • E Mail: kpfa@alaska.net

RC 254

March 4, 2011

Alaska Board of Fisheries
P.O. Box 115526
Juneau, Alaska 99811-5526

RE: Sport Harvest Number Request

Attention: Chairman Vince Webster
Commissioner Campbell
Sportsfish Director C. Swanton

KPFA is requesting the total number of sport and pu harvested Coho from upper CI which would include Anchor Point north and Chinitna Bay north.

Please start with 1990 and end with whatever date that is current (2010).

Please also include the additional Coho that could be attributable to mortality from "*catch and release*".

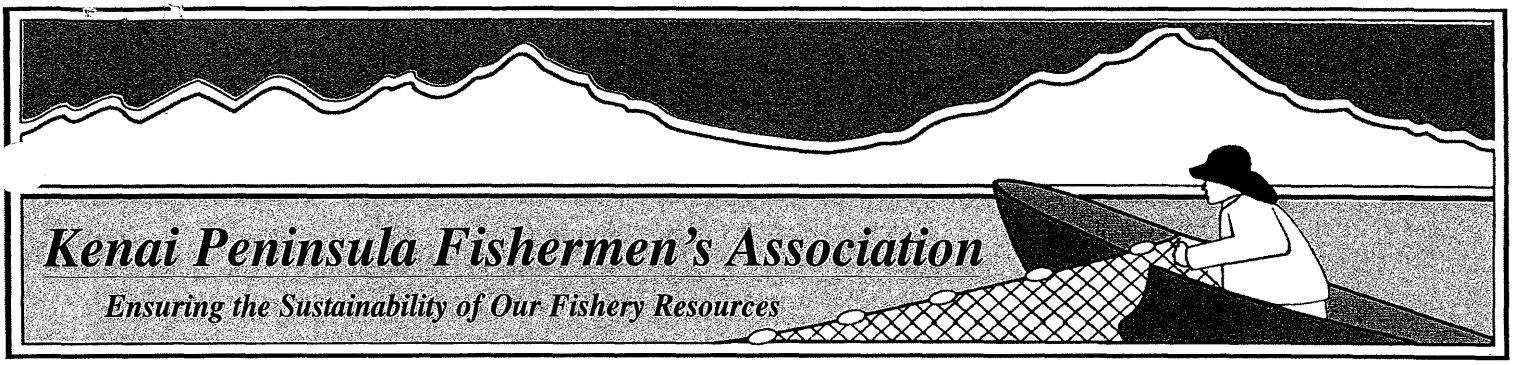
Simply, we would like a combined table that excludes commercial fishing harvests for Coho but includes everyone one else (i.e. sports, PU and subsistence) within the waters and drainages of CI relative to harvests.

I need those for submittal for proposals that will be discussed on Saturday 3-5-2011. I would prefer to have it this evening (3-4-2011).

Thank you for your valuable time,

Paul A. Shadura II

Paul A. Shadura II
Executive Director



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March 4, 2011

RC 255

Alaska Board of Fisheries
P.O. Box 115526
Juneau, Alaska 99811-5526

RE: Harvest considerations for ESSN Kenai Sub-section

Attention: Chairman Vince Webster

KPFA would like to direct further comments on the Board Generated Proposal (BGP) that will address the defining of "*a period*" and further application of the ESSN 1% rule.

We again want to emphasis our objection to the imposition of another restriction to the opportunity of harvesting surplus sockeye stocks that are available to ESSN fishermen in the month of August. We do not agree with the 1% rule!

We offer some guidance if the onerous rule remains in place.

Setnet fishermen are not a mobile fleet by definition. We must wait patiently for the fish to migrate through our area before we can even conceive of having a chance to harvest salmon. We do not know when that will happen so we must remain ready for if we miss the opportunity, we know that the salmon will not swim back, it is at that point a lost harvest.

Setnet fishing families are stationed at several points along Cook Inlet (CI) beaches. Geographical proximity to an anadromous stream usually determines the potential harvest success of a given beach fishermen's site. The individual net positions are called "*locations*" and usually they are leased from the state, surveyed and at least 600 feet apart. Each Limited Entry (CFEC) salmon setnet fishermen permit holder is allowed three nets to fish.

For the ESSN fishery; in June, the first locations to receive fish are the *first in line* sites in the Ninilchik area. Conversely, in the late season, Salamantof and North K – Beach would see their best concentrations of sockeye to harvest. Typically, small schools of fish

will continue to make their way through these areas throughout the month of August. The Kenai sub-district setnet fishermen survive on two main in season actions;

- There must be sufficient sockeye already at or about to be sonar enumerated at the Kenai River mile 19 to meet the minimal escapement goals.

- There must be sufficient time to access the resource for a reasonable opportunity.

Our review of the Kenai sub-district harvest after August 1st indicates that about 73% of the harvests of sockeye that are caught and delivered for the entire ESSN are from the 244-32, 244-41 and 244-42 statistical areas.

This does not mean that the areas to the south do not harvest sockeye; we are just trying to emphasis the historical distribution of the harvest. Late season consideration for Kasilof stocks is also important. If the Kasilof River sockeye have reached their minimum goals then a harvest opportunity should also exist.

Not all salmon fishermen enjoy the same rewards of the harvest, so we would also like the BOF to consider the unique nature of our fishery and the unique situation of each setnet fishermen and their family businesses.

We hope you will give careful consideration to our situation and relieve us from the unnecessary and very unfair burden of the 1% rule.

Thank you,

Paul A. Shadura II
Executive Director

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March 4, 2011

RC 256

Alaska Board of Fisheries
P.O. Box 115526
Juneau, Alaska 99811-5526

RE: Gulf of Alaska Ground Fish Prohibited Catch of Chinook

Attention: Chairman Vince Webster

KPFA would like to bring to the Board's attention the potentially serious situation that is occurring, has occurred and will continue to occur in the waters just outside of the entrance to Cook Inlet.

The 2010 Pollack trawl fishery and pot fishery caught an estimated record of interception of over 50,000 immature Chinook averaging between 4 – 6 pounds. This action also exceeded the Endangered Species Act (ESA) threshold of 40,000 which triggers consultation action with the National Marine Fisheries Service (NMFS) Office of Sustainable fisheries.

KPFA has testified at the North Pacific Fisheries Management Council (NPFMC) meetings on this issue. We were shocked at the lack of attention to this issue before this occurrence.

This Upper Cook Inlet (UCI) regulatory meeting required several severe restrictions to address the low levels of King salmon returns. All resource users including subsistence users will suffer the burden of conservation. For ten years or more the GOA groundfish Federal Fisheries Management Plan has not taken action on many advisements to deal with this issue.

We believe that with no Salmon Fisheries Management Plan in place no real considerations will be made on the affect to southcentral salmon stocks. To be clear, with no fisheries management plan in place that addresses bycatch, in our opinion there will be no real consideration to Alaskan's. No consultations will be necessary.

We are requesting the Alaska Board of Fisheries (BOF) under the provisions of 97-170.1-FB Joint Protocol to take aggressive action to remedy this situation.

We suggest that the BOF correspond with the Council in April expressing their desire to be included with the process of establishing a *"hard cap"* on Chinook bycatch. We also suggest that a joint Federal and State program of genetic identification take place on all stored samples and that this information be forwarded for public review. Also, new observer requirements should be implemented immediately. The BOF should support the expedited rulemaking process that the Council is currently undertaking to rectify this overall situation.

King salmon allocation has always been a *hotbed* situation in CI, we argue over hundred salmon; meanwhile in less then 30 days, gulf trawlers take tens of thousands of immature Chinook, Sockeye, Chums and Coho's. Shouldn't we ensure what is already established within MSCA in that the states adjacent to a Federal fishery are not to being adversely affected by a FMP?

Thank you,

Paul A. Shadura II

Paul A. Shadura II
Executive Director

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(907) 262-2492 • Fax: (907) 262-2898 • E Mail: kpfa@alaska.net

97-170.1-FB

JOINT PROTOCOL

BETWEEN

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (NPFMC)
ANCHORAGE, ALASKA

and

ALASKA BOARD OF FISHERIES (BOF)
JUNEAU, ALASKA

ON

MANAGEMENT OF FISHERIES
OFF ALASKA

Recognizing that NPFMC has a legal responsibility for reviewing and recommending to the Secretary of Commerce measures for the conservation and management of the fisheries of the Arctic Ocean, Bering Sea, and Pacific Ocean seaward of Alaska, with particular emphasis on the consistency of those measures with the National Standards of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act); and

Recognizing that the State of Alaska has a legal responsibility for conservation and management of fisheries within State waters; and further, that the State system centers around BOF policy, regulations, and procedures which provide for extensive public input; is sufficiently structured to ensure annual revisions; is flexible enough to accommodate resource and resource utilization emergencies; and is understood and familiar to the users of North Pacific fisheries resources; and

Recognizing that many of the fish populations in the Gulf of Alaska and the Bering Sea and Aleutian Islands migrate freely between or spend some of the year in both Federal and State waters; and

Recognizing that State and Federal governmental agencies are limited in fiscal resources, and that the optimal use of these monies for North Pacific fisheries management, research, and enforcement occurs through a clear definition of agency roles and division of responsibilities.

Therefore, NPFMC and BOF enter into this Joint Protocol to achieve coordinated, compatible, and sustainable management of fisheries within each organization's jurisdiction in the Gulf of Alaska and the Bering Sea and Aleutians.

I. Applicable Fisheries

This Joint Protocol applies to all fisheries off Alaska of mutual concern.

II. Duration of the Agreement

This agreement shall be reviewed by both NPFMC and the BOF and revised as necessary.

III. NPFMC and BOF shall undertake the following activities:

A. NPFMC and BOF shall jointly agree upon and implement an annual management cycle that provides for coordinated, compatible, and sustainable fisheries management in State and Federal waters. Management measures shall be consistent with the national standards of the Magnuson-Stevens Act, with the laws of the State of Alaska, and with all other applicable laws.

ALASKA BOARD OF FISHERIES
POLICY ON WRITTEN FINDINGS FOR ADOPTION OF REGULATIONS
99 - 184 - BOF

Generally, written findings explaining the reasons for the Board of Fisheries' regulatory actions governing Alaska's fisheries are not required by law. The Alaska Supreme Court has specifically held that decisional documents are not required where an agency exercises its rulemaking authority. *Tongass Sport Fishing Association v. State*, 866 P.2d 1314, 1319 (Alaska 1994). "Adoption of a decisional document requirement is unnecessary and would impose significant burdens upon the Board." *Id.* The Board recognizes, however, its responsibility to "clearly voice the grounds" upon which its regulations are based in discussions on the record during meetings so that its regulatory decisions reflect reasoned decision-making. *Id.* The Board also recognizes that there may be times when findings are appropriate to explain regulatory actions that do no result in adoption of a regulation.

Even though written findings are generally not a legal requirement, the Board recognizes that there are certain situations where findings are, in fact, legally required or advisable or where findings would be useful to the public, the Department of Fish and Game, or even the Board itself. The Board will, therefore, issue written findings explaining its reasons for regulatory actions in the following circumstances:

1. The Board will provide written explanations of the reasons for its decisions concerning management of crab fisheries that are governed by the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs as required by that plan.

2. The Board will, in its discretion and in consultation with the Department of Law, provide written findings for regulatory decisions regarding issues that are either already the subject of litigation or are controversial enough that litigation is likely.

3. The Board will, in its discretion, provide written findings for regulatory actions where the issues are complex enough that findings may be useful to the public in understanding the regulation, to the department in interpreting and implementing the regulation, or to the Board in reviewing the regulation in the future.

4. The Board will, in its discretion, provide written findings for regulatory actions where its reasons for acting are otherwise likely to be misconstrued by the public, the legislature, or other state or federal agencies.

The chair will assign responsibility for drafting written findings to board committees, individual board members, department staff (with division director approval), or others, as appropriate for the circumstances.

Written findings must be approved by a majority of the full Board membership. Approval may be by a vote on the record at a Board meeting or by individual signatures of Board members upon circulation of a written finding. Only those Board members that participated in the regulatory decision will be eligible to vote on the findings for that regulatory decision. Board members are not required to vote for or against adoption of findings based on their individual vote on the underlying regulatory decision. A Board member who votes in favor of the regulatory decision may vote against adoption of the findings; a Board member who votes in opposition to a regulatory action may, nevertheless, vote for adoption of the written findings.

Written findings adopted by the Board will be numbered according to year and sequence of adoption. The executive director will maintain copies of all Board findings and make them available for review by the Board, department, and the public.

ADOPTED: 10/27, 1999
Fairbanks, Alaska

Dan Coffey, Chairman
Alaska Board of Fisheries

VOTE: 7/0

RC 257

Gross Evidence of Human-Induced Mortality in Small Cetaceans

Andrew J. Read
Kimberly T. Murray
Nicholas School of the Environment
Duke University Marine Laboratory
135 Duke Marine Lab Road
Beaufort, NC 28156

NOAA Technical Memorandum
NMFS-OPR-15
July 2000

Submitted by: SOKI

U.S. Department of Commerce
Norman Y. Mineta, Secretary

National Oceanic and Atmospheric Administration
D. James Baker, Under Secretary for Oceans and Atmosphere

National Marine Fisheries Service
Penelope D. Dalton, Assistant Administrator for Fisheries

TABLE OF CONTENTS

1.0 INTRODUCTION

One can document evidence of anthropogenic trauma such as entanglement in fishing gear, vessel collisions, and gunshot wounds by careful evaluation of stranded marine mammals. Identification of such human-induced mortality and serious injury is an important function of the regional marine mammal stranding networks. Currently, several reference manuals exist to assist marine mammal network members in responding to stranding events, perform necropsies, and collect samples (Bonde et al., 1983; Hare and Mead, 1987; Geraci and Lounsbury, 1993). However without proper training and experience, it can be difficult to identify some of the more subtle indications of anthropogenic trauma. **This manual was designed to assist marine mammal researchers and stranding network members in the identification of evidence of adverse human interactions impacting stranded small cetaceans.**

Careful documentation of entanglement, gunshot wounds, vessel collisions, and blast injury may facilitate in the determination of a cause of death of a stranded small cetacea (i.e., dolphins or porpoises). Determining the cause of death is often difficult because postmortem autolysis or scavenger damage may obscure the physical evidence of these interactions. Therefore, it is critical to establish physical criteria diagnostic of various sources of mortality (Garcia-Hartmann et al., 1996; Kuiken, 1996). Such observations complement other methods of post-mortem examination, such as gross pathology and histopathology.

Based on our extensive experience examining many injured dolphins and porpoises and on the observations from our colleagues, we have described in detail the gross evidence associated with fishing gear entanglement, gunshot wounds, vessel collisions, and blast injury. **It is our hope that this report will assist marine mammal researchers and stranding network members with distinguishing between fatal injury due to human activities from those of natural causes.** To this end, we have restricted our observations to gross evidence that can be documented by field workers familiar with basic marine mammal anatomy, but without any special knowledge of pathology.

We have presented this information in three sections:
- Physical evidence associated with entanglement in fishing gear
- Physical evidence associated with other forms of human activity
- Procedures for examination of stranded small cetaceans and data documentation

2.0 PHYSICAL EVIDENCE ASSOCIATED WITH ENTANGLEMENT IN FISHING GEAR

Entanglement in fishing gear is the most common anthropogenic source of mortality for small cetaceans (Forney et al., 1999; Hill and DeMaster, 1999; Waring et al., 1999). The physical evidence associated with entanglement is specific to each combination of cetacean and fishing gear. Porpoises and dolphins killed in fine-mesh seine nets, for example, become trapped in the folds of the seine rather than entangled in the net itself and may not exhibit any external evidence of entanglement. In contrast, almost all dolphins and porpoises entangled in gill nets exhibit lacerations or indentations from the net material. Thus, the lesions caused by interactions with various types of fishing gear are very different. In this section, we will briefly describe gross evidence associated with entanglement in various types of fishing gear.

2.1 Evidence Diagnostic of Entanglement in Gill Nets

Over the past decade, we have examined over 100 carcasses of small cetaceans known to have died in gill net fisheries. In all but one of these specimens, from five species and three families, we found clear external evidence of entanglement, primarily in the form of lacerations and

indentations left from the net material. The type of laceration varies with the net material. Marks from monofilament nets usually appear as thin, distinct indentations in the skin of the animal (Figure 1). In contrast, multifilament gill nets often leave impressions of the braided nylon in the skin (Figure 2).

Figure 1. Net marks around the rostrum of a harbor porpoise entangled in a sink gill net in the Bay of Fundy, Canada.

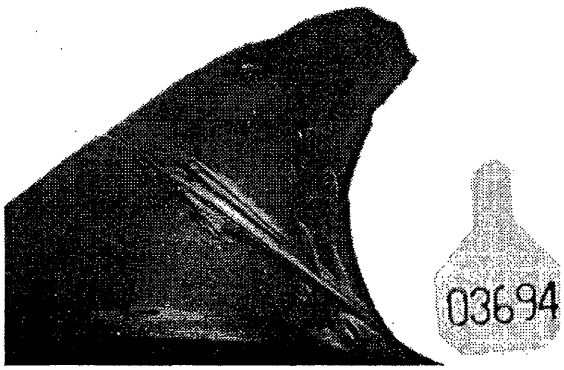

Figure 2. Braided multifilament net marks around the dorsal fin of a common dolphin entangled in a pelagic drift net on the continental shelf break of the northeastern U.S.

2.1.1 Evidence of Entanglement

We consider the presence of unhealed, narrow, linear lacerations or indentations in the epidermis, most commonly around the head, dorsal fin, flukes and flippers, to be diagnostic of entanglement in gill nets. Any carcass exhibiting such lacerations or indentations should be assumed to have died as a result of an interaction with fishing gear. These lesions have also been identified by other researchers as diagnostic of incidental mortality of cetaceans in commercial fisheries (Kuiken et al., 1994; Kuiken 1996; Siebert et al., 1996). Careful examination of the nature of these lesions may indicate in which type of net the animal was entangled (i.e., monofilament or multifilament) and perhaps some indication of the size of the mesh. The degree of entanglement and, consequently, the severity of associated lesions can vary with the species and the type of net. Large animals, such as pilot and beaked whales, killed in large-mesh nets are often severely entangled and exhibit clear net marks over much of their body (Figure 3). Lacerations around the mouth of these larger animals may be associated with bro-

Figure 3. Net marks around the head of a long-finned pilot whale entangled in a pelagic drift net on the continental shelf break of the northeastern U.S.

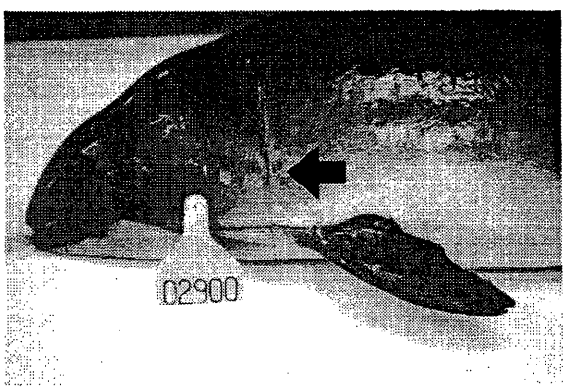

Figure 4. Net marks encircling the cervical region of a harbor porpoise entangled in a sink gill net in the Gulf of Maine.

ken or missing teeth caused by the net. Smaller animals, such as porpoises, may be caught in the net by a flipper or fluke lobe and exhibit only subtle signs of entanglement. Nevertheless, it is our experience that the vast majority of small cetaceans killed in gill nets exhibit external signs of entanglement in the form of net marks and, as noted above, we consider these lacerations and indentations to be diagnostic of entanglement.

Lacerations and indentations left by net material are often deepest when present around the entire head (Figure 4) or thorax (Figure 5) of an animal, indicating that the animal may have

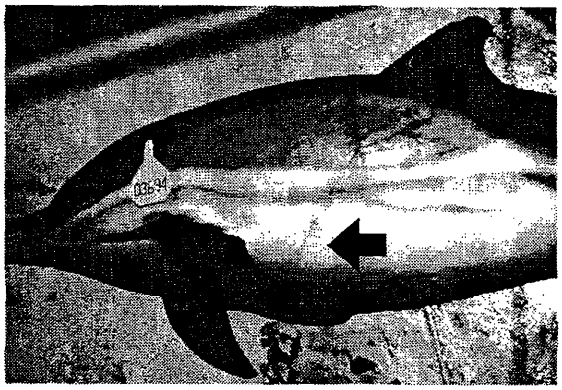

Figure 5. Net marks around the thorax of a common dolphin entangled in a pelagic drift net on the continental shelf break of the northeastern U.S.

Figure 6. Braided multifilament net marks encircling the flipper of a common dolphin entangled in a pelagic drift net on the continental shelf break of the northeastern U.S.

broken through several meshes of the net before becoming completely entangled. Lacerations are common on the leading edges of flippers (Figure

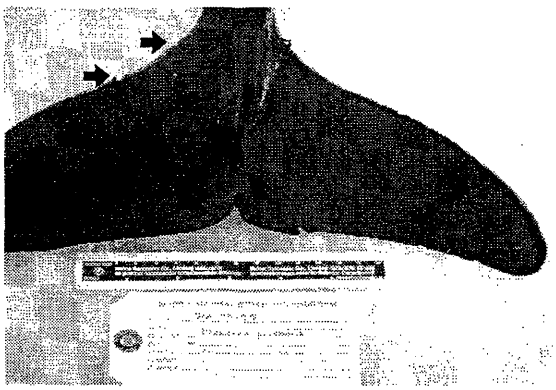

Figure 7. Net marks on the leading edge of the flukes of a harbor porpoise entangled in a sink gill net in the Bay of Fundy, Canada.

6), flukes (Figure 7) and dorsal fin (Figure 8) and are usually manifested as straight, narrow cuts into the epidermis. On the head, net marks often encircle the rostrum, or the head posterior to the eye. Net marks on the dorsal fin and flippers appear most commonly on the leading or trailing edges of the fins as thin, short lacerations, often breaking the skin. These lacerations may or may not be evenly spaced. These lacerations usually extend around both sides of the leading edge of the appendage, unlike other marks (such as gull pecks) which are typically found only on one side. Similar lacerations may appear around the

Figure 8. Net marks on the leading and trailing edges of the dorsal fin of a harbor porpoise entangled in a sink gill net in the Bay of Fundy, Canada.

leading and trailing edges of the flukes, and may encircle the entire fluke lobes (Figure 9). Even when the net marks do not encircle the entire fluke lobe, it is often possible to match individual cuts, caused by individual strands of the net, on

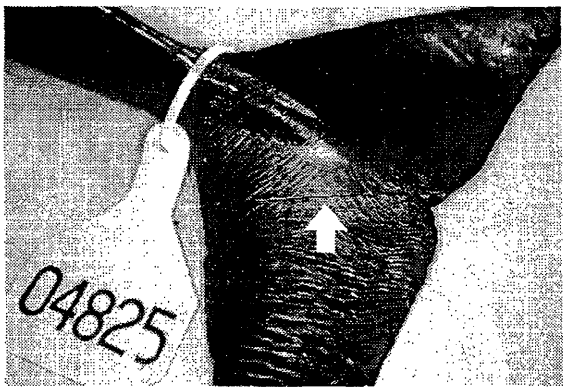

Figure 9. Net marks encircling the left fluke lobes of a harbor porpoise entangled in a sink gill net in the Gulf of Maine.

both the leading and trailing edge of the flukes. Cracks in the skin caused by damage from freezing and thawing may be distinguished from net marks as the former tend to be jagged while the latter are sharp and clean. However, differentiation of lacerations caused by nets and cracks in the skin caused by desiccation in the freezer, or from repeated thawing and freezing, may be difficult (Figure 10). Therefore, it is important to conduct the external examination of a carcass prior to storage in a freezer.

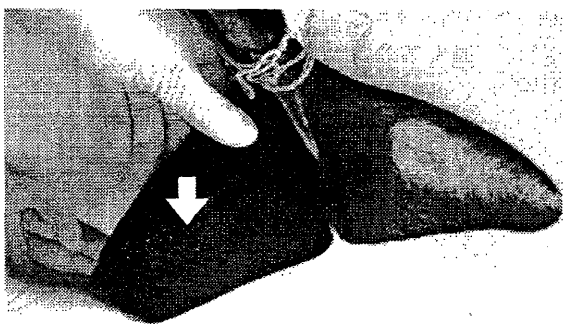

Figure 10. Cracks in the epidermis caused by freezer desiccation on the dorsal surface of the flukes of a harbor porpoise stranded in Virginia.

2.1.2 Postmortem/Antemortem Injuries

Carcasses are often towed, moved or secured after death by ropes or lines tied around the tailstock or flippers; impressions and abrasions from these lines are usually quite clear. Again, it is important to differentiate between physical evidence of entanglement and that associated with post-mortem events. It is also important to distinguish evidence of recent trauma from healed scars of past events. For example, a common dolphin killed in a pelagic drift net had healed line wounds around the rostrum and insertion of both flippers in addition to fresh lacerations, suggesting a previous, non-fatal entanglement. Many delphinids and ziphiids also bear fresh or healed lesions caused by social interactions with conspecifics. Tooth rakes are the most common form of these lesions, and these occasionally occur in a pattern similar to the marks left by the multifilament net material.

2.2 Non-Diagnostic Evidence of Entanglement in Gill Nets

Other forms of injuries are consistent with, but not diagnostic of entanglement in gill nets. These include penetrating wounds, missing appendages, sub-dermal hemorrhage, broken bones, and froth in the bronchi. We do not consider these features to be diagnostic of entanglement because they can originate from other types of trauma.

2.2.1 Body Condition

Most of the entangled specimens we have examined have been in good physical condition, with no evidence of emaciation (Figure 11a). However, emaciated animals that have suffered

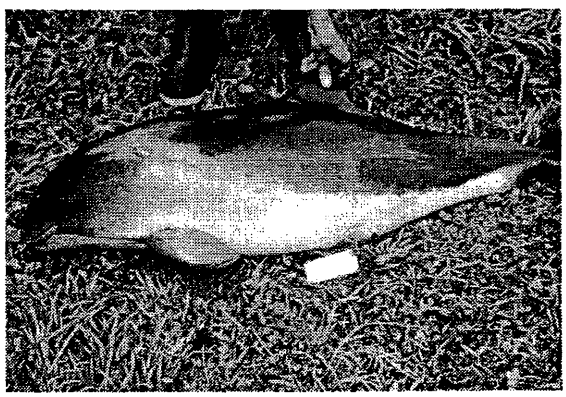

Figure 11a. A robust harbor porpoise killed in a sink gill net in the Bay of Fundy, Canada. Note the convex dorsal surfaces and the lack of any external neck.

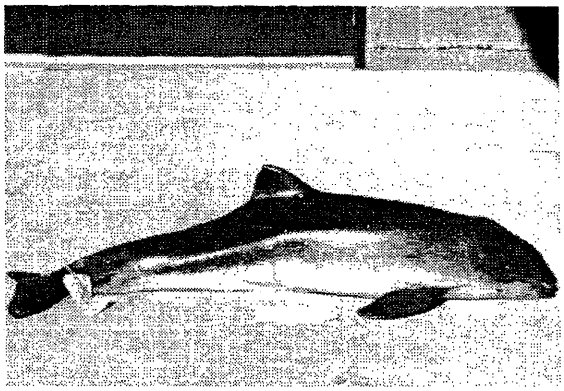

Figure 11b. An emaciated harbor porpoise stranded in virginia. Note the concave dorsal surfaces and pronounced neck, the sunken area just posterior to the skull.

and/or died from a chronic medical problem may become entangled in fishing gear. An unusually thin blubber layer and atrophied neck or epaxial musculature (i.e., external depression posterior to the nuchal crest of the skull - pronounced neckline) are indicative of poor physical condition and may indicate the existence of chronic disease (Figure 11b).

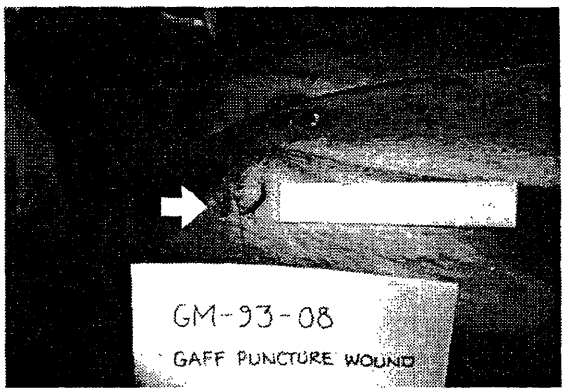

Figure 12. Puncture wound made post-mortem by a fisherman's gaff on the lower jaw of a harbor porpoise entangled in a sink gill net in the Bay of Fundy, Canada.

2.2.2 Penetrating Wounds

Many porpoises and dolphins killed in fisheries exhibit small penetrating wounds caused by the gaffs used by fishermen to retrieve the animals from the water (Figure 12). These wounds usually occur around the head and cervical regions, as the animal hangs tail down alongside

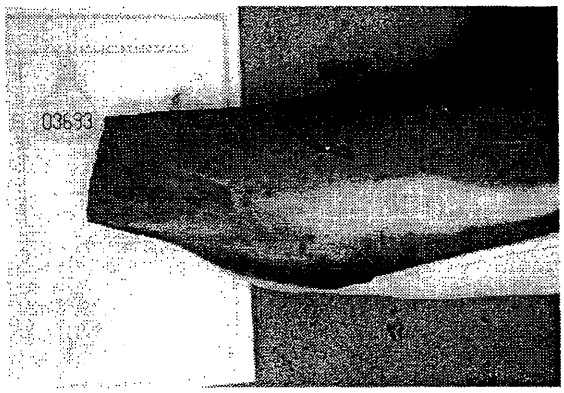

Figure 13. Severed caudal peduncle of a common dolphin entangled in a pelagic drift net on the continental shelf break of the northeastern U.S.

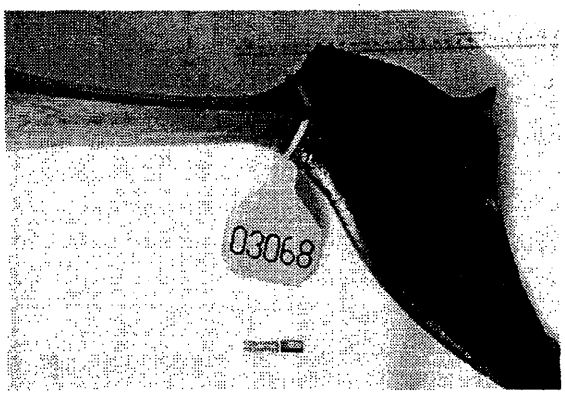

Figure 14. Severed fluke blade of a common dolphin entangled in a pelagic drift net on the continental shelf break of the northeastern U.S.

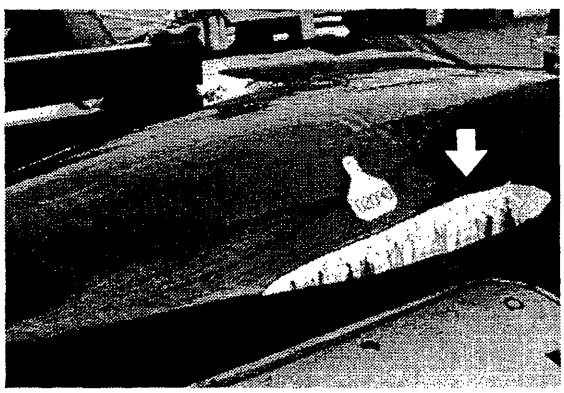

Figure 15. Severed dorsal fin of a long-finned pilot whale entangled in a pelagic drift net on the continental shelf break of the northeastern U.S.

the vessel. Other penetrating wounds are made by stab probes used by fisheries observers to measure core body temperatures in the epaxial musculature near the dorsal fin. Any small

cetacean carcass examined and discarded overboard by a NMFS fisheries observer should be readily identified by a plastic, numbered, tail tag (Figure 9).

2.2.3 Mutilation

Fishermen often mutilate the carcasses of small cetaceans to facilitate disentanglement. This is particularly true for large animals that are severely entangled. In such cases, the flukes, flippers, or dorsal fin may be cleanly severed (Figures 13-15). Fishermen and observers working aboard drift net vessels have noted that it is often extremely difficult to remove the carcasses of dolphins, pilot whales, and beaked whales from their nets. In contrast, small-bodied animals, such as porpoises, are often disentangled without mutilation. Fishermen will sometimes make a longitudinal slit along the ventral surface of the abdomen before discarding the carcass, in the belief that it will be less likely to float and reach shore (Figure 16). Occasionally the mutilation of carcasses is more severe (Figure 17).

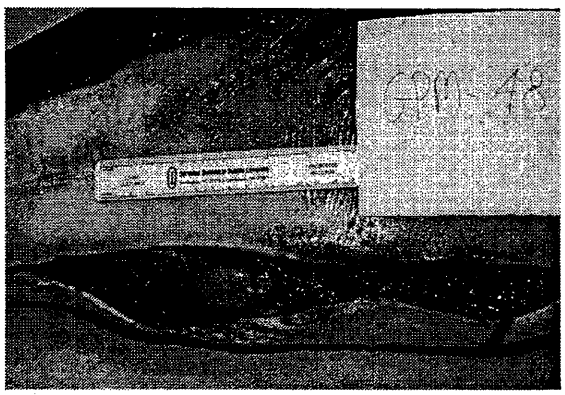

Figure 16. Longitudinal slit made in the abdomen of a harbor porpoise scarcass stranded in North Carolina. Note the clean edges of the knife cut.

2.2.4 Scavenger Damage

The degree and type of scavenger damage varies with the species and situation. For example, most harbor porpoise carcasses retrieved from sink gill nets exhibit damage from benthic scavengers. This damage ranges from superficial

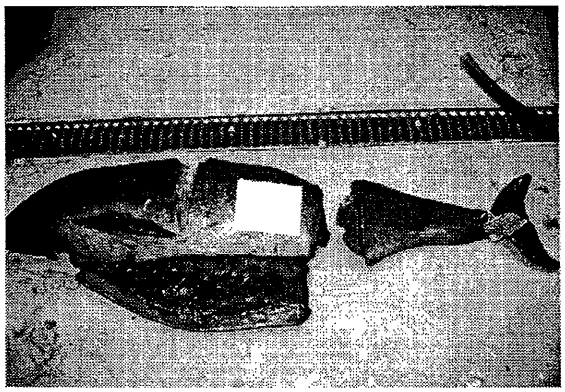

Figure 17. Dismembered carcass of a harbor porpoise stranded in New Jersey. Note the net mark encircling the body just anterior to the insertion of the flipper and the clean edges of knife cuts.

pits made in the epidermis by scavenging amphipods (Figure 18) to extensive external and internal damage caused by amphipods and hagfish (Figure 19). It is our experience that these benthic scavengers first attack the areas around

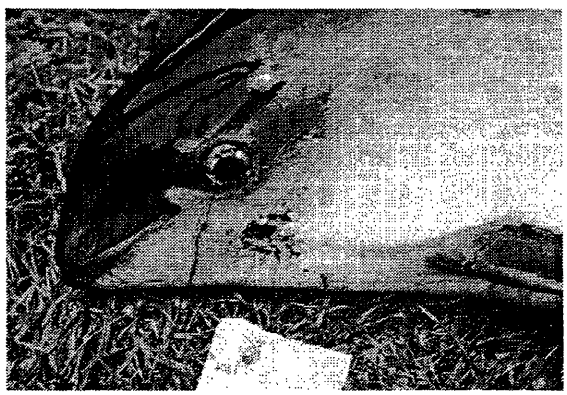

Figure 18. Mild damage caused by benthic scavengers to the head of a harbor porpoise entangled in a sink gill net in the Bay of Fundy, Canada.

the eyes, mouth, axillae and genital regions (Figure 20). In some cases the damage is so extensive that it is impossible to judge whether signs of entanglement exist in these areas. Entangled small cetaceans may also bear evidence of scavenging by sharks particularly in warmer waters. For example, a beaked whale carcass we retrieved from a pelagic drift net had been scavenged by blue sharks (*Prionace glauca*), which had left several bite marks approximately 20 cm in diameter along the ventral mid-

4.1 General Information

Follow the general procedures for recording data described by Geraci and Lounsbury (1993). Record the field number, species, sex, length, cause of death (if known), date of death (if known), date and location of the examination, stranding location and name of the examiner. It is critical to take video footage and/or photographs of the whole animal and of any unusual marks or lesions (Figure 28) and note this on the data sheet. Extreme care should be taken with photo-documentation; avoid poor lighting, exposure, and composition. Ensure that the field number is visible in each photograph and at some point in the video footage. It is often useful to have someone provide an audio narrative on the videotape describing particular lesions, marks or other features of interest. Any other relevant information should also be recorded at this time. The condition of the carcass should be evaluated using the Smithsonian Institution criteria: Code 1 = live; Code 2 = good condition (fresh/edible); Code 3 = fair condition (decomposed, but organs intact); Code 4 = poor condition (advanced decomposition); Code 5 = mummified or skeletal remains (Geraci and Lounsbury, 1993). Useful information can be obtained from Codes 1 B 3, and occasionally even from Code 4 specimens. Any additional comments can also be included at this time.

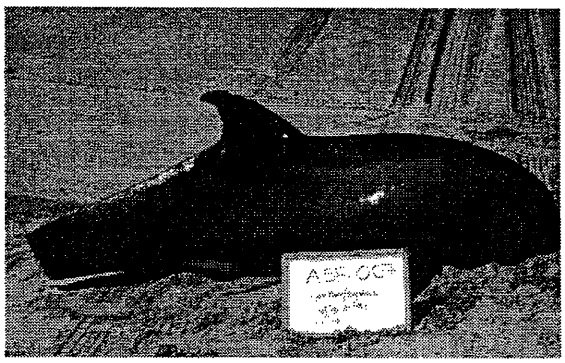

Figure 28. An example of a good field photograph. The lighting, exposure and composition are appropriate and the field number, location and date are clearly visible. The caudal peduncle of this bottlenose dolphin, stranded in North Carolina, has been clearly severed. Photo courtesy of Andrew Westgate, Duke University Marine Lab.

4.2 External Examination

4.2.1 Body Condition

On the data sheet, denote the animal as "emaciated" or "not emaciated." An emaciated animal is in poor nutritional condition with a thin blubber layer, sunken cervical region posterior to the skull, and atrophied epaxial musculature (Kuiken, 1996). Animals in good nutritional condition have a relatively thick blubber layer and well-developed musculature. The relative thickness of the blubber in robust specimens will obviously vary from species to species and even from season to season within a species. The apparent condition of a carcass may also change with decomposition; very degraded carcasses can sometimes appear emaciated after the blubber has rendered. The body condition of animals in advanced states of decomposition (Codes 3+) or those in which the body condition of the animal cannot be assessed should be recorded as "CBD" (cannot be determined). We find this general assessment of body condition to be useful in distinguishing between animals that died of chronic health problems and those that died of acute causes.

4.2.2 Net or Line Marks

Thoroughly examine the entire body for unusual marks, such as those from lines or nets. Be sure to examine both sides of the carcass and the dorsal and ventral sides of all appendages. As described in detail above, lesions from monofilament gill nets appear as thin, distinct indentations on the skin of the animal that occasionally penetrate through the dermis. Multifilament net and lines often leave an impression of the braided material in the skin. Describe each mark in detail and be sure to obtain good photographs of each lesion. After discovery, carcasses are often secured by line or rope, which may leave impressions in the skin. If this is the case, be sure to note on the data sheet that these impressions occurred after discovery. The same also holds for numbered tail tags attached by NMFS observers.

EXECUTIVE SUMMARY

Destructive fishing practices are destroying large portions of our oceans and the life within them. "Wasted Catch and the Destruction of Ocean Life" highlights one particularly devastating problem called bycatch, or wasted catch — the unintended catch and subsequent destruction of unwanted fish and other marine life as a byproduct of fishing practices.

Protecting the world's oceans should start here in the United States, where fishing nets strangle, drown, and crush billions of fish, and thousands of sea turtles, whales, dolphins, sharks, and seabirds. Other gears, such as bottom trawls, bulldoze the ocean floor in search of fish, scraping up virtually everything in their path.

But the problem is not unique to the U.S. **Around the world each year an estimated 44 billion pounds of fish are wasted – 25 percent of the entire world catch. Tens of thousands of marine mammals, birds, corals, and other forms of ocean life are also caught and discarded. This massive destruction of sea life puts our oceans at risk, and with them our food supplies, our coastal economies, and even ourselves.**

Unfortunately, the U.S. government fails to carry out laws already on the books to help protect disappearing ocean wildlife and to reduce the numbers of marine animals caught unintentionally during fishing. In particular, the National Marine Fisheries Service (NMFS), the lead federal agency charged with monitoring and reducing bycatch, has failed to bring the nation's fisheries into compliance with federal laws years after Congress passed the law requiring action, and three years after the agency issued a report highlighting the problem. As a result, **Oceana has filed a formal petition to force the agency to fulfill its duties under current U.S. laws that require it to halt waste and mismanagement of our oceans.**

This report by Oceana shows an in-depth analysis of NMFS' most important study of this problem, "Managing the Nation's Bycatch." The study shows a huge gap between the size of the problem on the one hand, and the amount of information NMFS has gathered and the actions it has taken, on the other. Although this 1998 report reveals only the tip of the iceberg, it makes clear the nation's fisheries management plans are not adequate either to monitor the extent of wasted catch or to reduce it. Bycatch has devastated species and ecosystems all over the country – from groundfish in New England, to sea turtles and sawfish in the Gulf of Mexico, to seabirds and deepwater corals in Alaska.

NMFS has done almost nothing to force those responsible, primarily the regional fisheries management councils, to bring their plans into compliance. NMFS has repeatedly approved fishery management plans that fail to adequately address the bycatch problem, and has taken little action to improve the vast majority of out-of-compliance fisheries. When the agency does act, it usually does so only under court order. Similarly, the agency has been slow to enforce the necessary safeguards needed for species protected under the Endangered Species Act and Migratory Bird Treaty Act, such as sea turtles and albatrosses.

Congress has established goals for reducing bycatch of marine mammals to "levels approaching zero." Wasted catch of other forms of marine life also puts our oceans and our circle of life at risk. The government must set similar aggressive bycatch reduction goals for all marine resources, including fish.

Oceana calls on NMFS and Congress to immediately implement the following five critical measures to end wasteful fishing practices, to protect ocean life and habitat.

COUNT: Require adequate numbers of observers on fishing vessels to obtain better data on bycatch.

CAP: Improve fisheries management plans by including mortality from bycatch in estimates of total mortality, and also require hard caps on total fish mortality and bycatch mortality for all fisheries.

CONTROL: Develop, approve and implement bycatch assessment and reduction plans before allowing fishing.

RC 258

Substitute language for 268:

Within a one mile radius of the confluence of the Talachulitna River with the Skwentna River, once you have retained a king salmon greater than 20 inches in length you may not fish [FOR KING SALMON] for the remainder of that day.

RC 259

Miscellaneous Business

ALASKA BOARD OF FISHERIES
February 20 - March 5, 2011
Upper Cook Inlet Finfish, Anchorage

A) Written Board findings re regulatory action taken to address stocks of concern	[Webster]
B) Letter to NPFMC / NMFS re Gulf of Alaska Chinook bycatch	[Webster]
C) Petition re West Behm Canal herring fishery (RC1 Petition Tab, RC 78)	[Regnart]
D) October 2011 meeting dates (RC 249)	[Johnstone]
E) Susitna Hydro presentation	[Johnstone]

Adjourn

RC 200

Susitna Hydropower Project
Fisheries Questions

Project Background

- As presently proposed, the project would include a 700-foot high earth fill dam at the Watana Dam site on the upper Susitna River. Project would include access roads and transmission lines to the railbelt load center

- The upper Susitna River is considered to be that portion of the drainage basin above the Gold Creek railroad bridge crossing on the Susitna River. Gold Creek is about 15 miles down stream from the Devil Canyon Dam site and 45 miles downstream from the Watana dam site, and approximately 30 miles upstream from Talkeetna

- New studies may result in the recommendation for an expandable Watana dam and a main structure composed of roller-compacted concrete. Either or both of these changes could result in cost savings or increases

- Under the present low Watana dam concept, the project could produce 2,600 GWH average annual energy at a present day cost of $4.5 billion. Present electrical energy demand in the railbelt is roughly 5,000 GWH

- Full project development as proposed in 1985 would entail two dams on the upper Susitna River -- a 642 foot high dam at Devil Canyon, and an 880 foot high dam at Watana -- for an energy output of approximately 7,000 GWH at a present day cost of $12.0 billion

- The state of Alaska through the Alaska Energy Authority has initiated investigations of the project that could lead to power on line by as early as 2022

700-foot high Watana project features

- Project would be approximately 30 miles upstream from the Devil Canyon dam site and would create a 16,000 acre reservoir that would inundate 40 miles of the Susitna River, 15 miles of tributary steams, and 8 small lakes

- The reservoir lake elevation would fluctuate 164 feet annually as the reservoir is filled and drafted to meet railbelt energy demand. Present average minimum winter flow at the dam site is 1,000 CFS, but post project minimum winter flows would be increased to 6,000 CFS. Average natural peak summer flows are 26,000 CFS, but average post project peak flows would be reduced to 16,000 CFS

- All five species of salmon utilize the full Susitna drainage basin, but only Sockeye and Chinook approach the upper Susitna portion of the river. No

Submitted by Karl Johnstone

Sockeye have been observed above the Devil Canyon dam site, and only a few Chinook (100) have been observed above the Devil Canyon site.

- Nine species of resident fish inhabit the portion of the drainage basin directly impacted by the project

- Operational and engineering features will be implemented to preclude negative impacts to the resident and anadromous fisheries to the extent practical

- The project will change water quality, temperature, suspended sediment, river fluctuations, and flow quantities

Fisheries Questions

- What will be the impact of the project on anadromous and resident fish upstream from Talkeetna to the Watana dam site, and down steam from Talkeetna?

- Regulated steam flow from the project will tend to eliminate peak flows and result in "channelization" of the main steam. What will be the impact of this on fisheries?

- How will a six-fold increase in winter flow impact down steam fisheries? And how will the large annual reservoir drawdown affect fish habitat?

- Elimination of summer peak flows will tend to "perch" side stream channels, and dry up fresh water slews. What impact will this have on resident and anadromous fisheries?

- How will the reservoir impact down steam water temperatures and oxygen levels, and how will this impact resident species and overwintering salmon fry?

- Assuming that the reservoir will trap most of the base and suspended sediment above the dam site, how will this affect downstream fish habitat, and will the river channel tend to degrade causing channelization and its attendant impacts?

- What is the possibility of enhancing the river channel downstream from the dam site for rearing of Chinook salmon? Would it be desirable to build a world-class fish hatchery down steam from the Devil Canyon dam site? What are the issues associated with providing a means for anadromous fish to migrate above the Watana dam site and thus gaining access to the substantial upper Susitna habitat that is presently inaccessible?